

## REPORT

*Of the Committee to whom was referred that part of the President's Message, which relates to the Commercial Intercourse of the U. States with the British West India Islands and North American Colonies, and also on the petition of sundry inhabitants of different parts of the District of Maine, on the same subject.*

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FEBRUARY 9, 1818.

Accompanied with a bill supplementary to the "Act regulating duties on imports and tonnage," passed 27th April, 1816.

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The Committee to whom was referred that part of the President's Message, which relates to the commercial intercourse of the United States with the British West India Islands, and North American colonies; and also the petition of the inhabitants of different parts of the District of Maine, on the same subject,

## REPORT:

That, by the statement marked A, annexed to this report, it appears that the average amount of duties upon merchandise, annually imported into the United States from the British West India islands, and North American colonial possessions, from 1802 to 1816, excluding the period from the commencement of the restrictive system to the termination of the late war, exceeds two millions of dollars. The value of the merchandise upon which these duties accrued, is supposed to be equal to seven millions of dollars per annum. The statement B, shows that the average annual amount of exports to the same places, principally of domestic production, up to 1817, excluding the time of the operation of the restrictive system, and the continuance of the war, have exceeded six millions, five hundred thousand dollars. The statement C, shows that in the year 1815, the amount of duties on merchandise imported in American vessels from the British West India islands and North American colonial possessions, was, to the amount of duties imported in British vessels, as one to four; in 1816, as one to five and a half, or two to eleven. Taking the ratio of 1816, as the basis of calculation, and it is believed to afford the safest and most solid, as past experience shows, a constant diminution of the amount of duties on goods imported in vessels of the United States, it is estimated, supposing the same proportion exists

in the exports, that American vessels are used in the transportation annually of 2,177,924 dollars worth of merchandise, and British vessels 11,322,076 dollars worth of the most bulky articles of commerce, one half of which are of the growth, production or manufacture of the United States. This inequality in the advantages of this commerce, to the injury of the navigating interest of this country, arises from the rigorous enforcement of the colonial system of Great Britain, as to the United States, while it is relaxed to all other nations who are friendly to the British empire, and have colonial possessions. The portion of the commerce which is carried on in American vessels, arises from accidental and temporary suspensions of the system which the governors of the islands, &c are permitted, under the pressure of dire necessity, to direct—an employment for our seamen and vessels, precarious and momentary, rather irritating and tantalizing than profitable. This intercourse appears to the committee in the worst possible state, as it regards the navigation of the United States, while it is in the best for that of Great Britain. Justice and policy require on the part of every wise government, its best exertions to secure to its own citizens a perfect equality in the transportation of merchandise, with the people of every nation respectively, with whom it has commercial intercourse. Some governments are governed by a policy more contracted, desiring to give to their navigation the exclusive transportation of their native products, while they desire their participation in carrying the productions of other countries. The committee are satisfied that the United States will never be governed by the selfish views of the latter class, but trust that it has not been, nor will it ever be, regardless of the just motives of the former: So far it is a duty to protect the navigating interest. This duty can be performed in relation to the subject of this report, by conventional stipulation with Great Britain, formed upon the basis of reciprocity, or by legislative acts, operating exclusively against the British navigator engaged in this trade. With the first mode this House has no further concern than to know that the other branch of the government has performed its duty. Repeated and hitherto unavailing applications have been made to the British government. It is not, however, surprising, that they have been unsuccessful, since no adequate motive at present exists, to induce Great Britain to arrange this intercourse by convention. The offer contained in the articles annexed to this report, the most rational and reciprocally advantageous of any ever made, may be considered as dictated by a spirit of accommodation, which, under the pressure of adequate motives might be fostered into a determination to grant all that we could reasonably ask or they be expected to yield. The three first articles, with some practicable modifications, would, by the adaptation of our commercial laws to the stipulation contained in them, confining the commerce strictly to those articles which Americans were permitted to carry, would place the trade upon as favorable grounds as could be expected. It would, no doubt, in a short time be followed by a complete abandonment of the residue of the present jealous system of

exclusion. The committee cannot, however, but approve the prompt rejection of this proposition, since these articles are connected with another altogether inadmissible, without a departure from what they deem the settled policy of this country, in relation to the trade with the Indians within its jurisdiction. The British ministry, having assured this government that these articles were all that could be granted, consistent with their opinions of the best interest of the British empire, there is no longer any hope of effecting this desirable object by negotiation. It remains for Congress to determine what course is to be pursued. If it were possible to separate the interest of one class of the community from that of another, it must be obvious that, however fatal to the navigator, the present state of things is not injurious to the cultivator of the soil. The productions of his labor are carried with facility to a ready market, and he receives in return all those articles which taste and habit have rendered necessary to his comfort. But this separation is impossible, and the necessary connexion between the two interests is apparent, when it is remembered, that the competition of American with foreign navigation is essential to keep down the expense of transportation always paid by the cultivator and consumer. If this injury is not now apparent, it will ultimately be felt when the total ruin of the navigation interest will deprive us of the power to remedy the evil. The committee forbear to press those important considerations of preparation for national defence so inseparably connected with the inquiry. They feel that there is on this point but one sentiment among the representatives of the people and in the nation. Experience, prudence, gratitude for the glory shed upon our country, and the confident and delightful anticipation of future renown, all conspire to insure the necessary sacrifices for the preservation and interest of the seamen of the United States. This object, so far as it may be promoted by a participation in the commercial intercourse with the British American colonies, may be effected by a trifling and temporary sacrifice of the interests of agriculture. A slight knowledge of the situation of the British West India colonies, authorizes the position, that a commerce with the United States is essential to their prosperity, if not to their existence. The best market for the sale of their surplus products is found here, while the grain, provisions, and lumber articles of the first necessity, received in return, are procured on terms infinitely more advantageous than they are to be had for their use in any other part of the world. But for occasional supplies of those articles from the United States, some of the islands would be deserted by their inhabitants, or a change produced in their agriculture, ruinous to their commercial interest. The people of the United States are in a very different situation. The British West India market is convenient, but not necessary to their accommodation. All the articles imported from them can be procured abundantly, upon terms equally advantageous, from other quarters. The annexed tables, marked D and E, show the amount of imports of the chief articles of their product from the British West Indies, &c. and the proportion it bears to the

whole amount of imports of similar articles from other West India islands, &c. Many of these can be and are procured from other quarters of the world, with which commerce in American vessels is not restrained. The demand for all can be supplied without a recourse to the British West India islands, and a supply from other quarters will be obtained by the employment of American vessels and American seamen, in common with the vessels and seamen of the country from which it may be brought. The only danger to be apprehended is, that the cultivator losing the British West India market for the use of his exports, would lose with it the ability to procure the commodities he formerly received in return. The extent of this danger depends upon the correctness of the position laid down—that this commerce is *essential* to the British West India islands, and *only convenient* to the United States. If the necessities of life can only be or are procured on terms infinitely more advantageous here than any where else, it follows they will still be carried to the British West Indies, if not directly under a convention between two governments, circuitously through some mutually friendly port. It is perfectly true that the West India islands are capable of producing all that is necessary for their own subsistence, but this must be at the expense of their commercial importance; the abandonment of the most profitable, for, to them, an unprofitable, cultivation. The general use and consequent high price of West India produce, will insure a continuance of the usual course of agriculture, and will, as heretofore, operate as a bounty upon the growth of bread stuffs in the United States. In favorable seasons and in peaceful times, Europe affords a surplus of human aliment, and supplies are to be found on the African coast of the Mediterranean; but these come loaded with the increased expenses and the dangers of the lengthened transportation, of heavy articles. In the event of one of those desolating tempests, of but too frequent occurrence in these otherwise favored regions, destroying in an instant, the labors of a life, and scattering the hoards collected by prudence for the subsistence of the colony, the distance from these places of relief render timely assistance to the unfortunate impossible. The North American colonies cannot furnish these necessary supplies. The navigation of the principal river which carries the greatest portion of her stores to the ocean, is closed the better part of the year, and is not practicable at that season which is usually marked by these calamities. It is believed too that by far the largest portion of the apparent exports of Canada of bread stuffs, and even of lumber, &c. are carried from the United States. There must be at all times a dependence to a certain extent upon this country. And if a conventional relaxation is not produced by a prohibition of this direct intercourse, or the imposition of such charges as shall amount almost to prohibition, it follows, that the trade will be circuitous. In this event the export trade, instead of being carried on exclusively in British bottoms, will be prosecuted in American vessels, and the vessels of that foreign nation in whose ports the parties may, by tacit arrangement, meet for the exchange of their commodities. The return car-



ges, if of British growth, will, under the navigation act of the United States, be brought wholly in American vessels.

The only question remaining to be examined is as to the mode of effecting this desirable result.—By total prohibition of all intercourse, or by burdensome charges on the trade if confined to British vessels? The committee believe that the latter is to be preferred, and have accordingly reported a bill. There is no essential difference between them, except as the one or the other is more or less inconvenient in its execution. The effect of onerous duties is more slow, but equally certain; the pressure will soon be felt, and the beneficial consequences gradually follow. The stream of commerce will easily and naturally flow into the desired channel, without the risk of those dangers which a sudden and violent effort to divert it might produce. A short time will prove the efficacy of this arrangement, and justify its continuance, modification, or abandonment. It is recommended too by its facility of execution: It requires no further alteration in the existing laws. It is not necessary to arm for its enforcement the petty officers of the customs, with powers dangerous and odious to a free people.

For further and more detailed information on the subject of this report, the committee refer the House to a document marked F, furnished from the Department of State.



*A STATEMENT showing the amount of Duties arising on Merchandise imported into the United States from the British West Indies, and British American Colonies, in American and foreign vessels, during the years ending on the 30th of September, 1815 and 1816.*

On merchandise imported from	In American vessels.		In Foreign vessels.	
	1815.	1816.	1815.	1816.
British West Indies, -	250,320	313,218	1,053,988	1,814,268
do. American Colonies,	431,849	135,430	954,771	181,868
Dollars	682,169	448,648	2,008,759	1,996,136

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Treasury Department,

Register's Office, January 7, 1818.

JOSEPH NOURSE.



A.

**STATEMENT of the amount of duties arising on merchandise imported into the United States from the British West Indies, and their American Colonies, from the 1st of October, 1801, to the 30th September, 1816.**

	1802.	1803.	1804.	1805.	1806.	1807.	1808.	1809.	1810.	1811.	1812.	1813.	1814.	1815.	1816.
British West Indies - -	1,844,442	1,770,651	1,939,859	1,864,119	2,360,665	1,948,672	1,092,091	611,612	535,222	453,188	16,861	33,736	2,521	1,304,308	2,127,486
British North American Colonies,	62,154	58,225	111,578	144,868	188,253	244,125	112,177	148,224	79,602	44,915	55,780	26,552	184,794	1,386,620	317,298
Total. Dollars	1,906,596	1,828,876	2,051,437	1,008,987	2,548,918	2,192,797	1,204,268	758,836	614,824	498,103	72,641	60,288	187,315	2,690,928	2,444,784



# B.

## STATEMENT of the value of merchandise, the produce and manufacture of the United States, exported to the British West Indies, and their American Colonies, from the 1st Oct. 1801, to the 30th Sept. 1817.

	1802.	1803.	1804.	1805.	1806.	1807.	1808.	1809.	1810.	1811.	1812.	1813.	1814.	1815.	1816.	1817.
British West Indies,	6,228,464	5,624,647	6,315,667	5,473,218	5,092,288	5,322,276	1,427,510	1,511,570	2,322,720	1,626,115	1,775,037			1,684,480	3,050,729	3,802,462
British North American Colonies,	512,561	1,005,846	983,306	970,610	1,124,835	1,338,199	308,635	672,743	1,310,586	1,670,515	643,350	2,422	10,050	1,396,815	3,019,171	3,691,292
Total, - - \$	6,741,025	6,630,493	7,298,973	6,443,828	6,217,123	6,660,475	1,736,145	2,184,313	3,633,300	3,296,630	2,418,387	2,422	10,050	3,081,295	6,069,900	7,493,754

## Value of foreign merchandise exported as above.

	1802.	1803.	1804.	1805.	1806.	1807.	1808.	1809.	1810.	1811.	1812.	1813.	1814.	1815.	1816.	1817.
British West Indies, - -	461,026	90,973	731,991	518,189	515,640	630,361	133,553	154,429	71,443	123,684	22,203	- -	- -	18,493	89,355	69,105
British North American Colonies,	172,313	154,447	143,929	173,391	298,454	224,825	70,818	88,689	132,250	177,929	17,382	- -	- -	865	40,279	27,527
Total, - - \$	633,339	245,420	875,920	691,580	814,094	855,186	204,371	243,118	203,693	301,613	39,585	- -	- -	19,358	129,634	96,632
Total Amer. and Foreign Merch.	7,374,364	6,875,913	8,174,893	7,135,408	7,031,217	7,515,661	1,940,516	2,427,431	3,836,999	6,598,243	2,457,972	2,422	10,050	3,100,650	6,199,534	7,590,386



# D.

## Importations in American vessels from the West Indies, &c. during the year ending on the 30th of September, 1815.

	25 per cent.	30 per cent.	40 per cent.	Spirits.	Molasses.	Coffee.	Cocoa.	Sugar.			Salt.	
								Brown.	White.	Loaf.	Bushels.	Pounds.
British West Indies, - -	99,398	30,850	17	227,813	38,505	42,666		125,233			317,150	2,753,292
do. American Colonies, -	1,168,959	156,948	3,852	72,503	8,916	430		85,715			55,066	572,081
Other West Indies, &c. -	2,999,702	572,547	40,459	1,814,650	3,516,851	17,687,856	89,042	33,750,094	2,471,840		519,799	4,596,861

## Importations in Foreign vessels from the West Indies, &c. during the year ending on the 30th of September, 1815.

	28 <sup>8 7 5</sup>	34 <sup>6 5 0</sup>	46 <sup>2 0</sup>	Spirits.	Molasses.	Coffee.	Cocoa.	Sugar.			Salt.	
								Brown.	White.	Loaf.	Bushels.	Pounds.
British West Indies, - -	560,384	138,159	25,612	867,314	146,160	320,132	112,002	1,465,490	2,749	2,228	172,834	2,442,865
do. American Colonies, -	1,906,236	319,963	28,063	215,511	94,971	2,160		912,949			2,473	
All other West Indies, &c. -	2,746,052	508,500	62,472	1,353,419	1,234,249	1,754,589	163,421	7,580,632	1,010,894		202,876	3,676,364



# E.

Importations in vessels of the United states from the West Indies and American Colonies, during the year ending 30th September, 1816.

From	Value of merchandise paying duties ad valorem.					Spirits.	Molasses.	Coffee.	Cocoa.	Sugar.		Pimento.	Salt.	
	7½ per cent.	15	20	25	30					Brown.	White clayed.		Pounds.	Bushels.
British American Colonies,	544	12,382	25,471	300,213	50,216	21,461	448	1,519		10,883	2,183	507	208,000	70,494
British West Indies,	219	825	86	12,917	2,774	11,350	76,385	68,650	2,328	937,632	43,244	344	16,874,133	863,625
All other West Indies, &c.	1,822	130,331	8,942	306,771	114,331	2,214,050	6,255,342	21,089,410	1,257,496	29,036,044	5,097,257	19,584	1,092,945	69,079
	2,585	143,538	34,499	619,901	167,321	2,246,861	6,332,175	21,159,579	1,259,824	29,984,559	5,142,684	20,435	18,175,078	1,003,198

Treasury Department,  
Register's Office, 10th February, 1818.

JOSEPH NOURSE, Register.

Importations in Foreign vessels from the West Indies and American Colonies, during the year ending on the 30th September, 1816.

From	Value of merchandise paying duties ad valorem.					Spirits.	Molasses.	Coffee.	Cocoa.	Sugar.		Pimento.	Salt.	
	8¼ per cent.	16½	22	27½	33					Brown.	White clayed.		Pounds.	Bushels.
British American Colonies,	9,384	34,451	9,967	86,509	17,377	74,539	4,171	32,309	6,395	57,048		29,331	209,123	1,816
British West Indies,		19,447	4,153	316,180	75,286	1,651,291	500,594	1,872,532	132,460	5,318,977	224,409	1,411,818	2,508,818	425,683
All other West Indies,	2,232	24,327	1,337	75,291	23,840	371,761	1,340,465	1,716,363	83,408	7,963,151	747,082	2,326	44,660	21,372
	11,616	78,225	15,457	477,980	116,503	2,097,591	1,845,233	3,621,204	222,263	13,339,176	971,491	1,443,475	2,762,601	448,871

Treasury Department,  
Register's Office, 10th February, 1818.

JOSEPH NOURSE, Register.

## F.

*Notes on the practical effect of the treaty lately made between Great Britain and the United States.*

1. The duties and tonnage on British and American ships and goods, are equalized, except as it respects the colonies of Great Britain in North America and the West Indies, to which the treaty does not apply.

2. Since the peace, the colonial system of Great Britain has been enforced with unusual rigor, neither American vessels or property being admitted into her colonies.

3. American vessels are admitted into the French, Spanish, Dutch, Danish, and Swedish colonies, in the West Indies, under certain restrictions as to imports and exports; and the vessels of those nations are admitted under similar restrictions, into the ports of the British colonies in the West Indies.

4. Very heavy duties have been recently imposed in the British West Indies on American produce, even when carried in British ships, and also on the exportation of plaister of paris, from the colony of Nova Scotia to the adjoining state of the Union.

*Observations on the preceding facts.*

1. In the agreement to equalize the duties on the carrying trade of the two countries, it will be seen at the first glance, that the positive advantages are on the side of Great Britain. Our exports are wholly composed of bulky articles, such as lumber, provisions, cotton, tobacco, tar, &c. &c. the whole of which are of primary necessity to the manufactures and colonies of Great Britain, and require for their transportation, a quantity of tonnage, tenfold larger than that which would be requisite to bring back their value in British manufactures. Thus, a single ship from London or Liverpool frequently brings to the United States, twenty times the value of the cargo which the same carried from the United States; and of the one hundred sail of vessels which sailed for Ireland during the last season, not more than one would be requisite to bring back the returns in Irish linens, the only article of merchandise imported from that country. Now the only advantage which the United States derive from the treaty, is the removal of the duty imposed on their produce when carried to British ports in their own bottoms. It was found proper to remove this duty by giving up the immense advantages that would accrue from the exclusive carriage of our own productions. It may, however, be observed with truth, that the British market, has for many years been as necessary to our productions, as those produc-



tions were to that market. But the period of monopoly has passed away, and our raw materials will find as ready a sale in the other parts of Europe, as they have lately found in Great Britain. These observations apply more particularly to the intercourse between the United States and the European ports of Great Britain.

2. The seizure and condemnation of American vessels under the charge of violating the laws which regulate the West India trade, leave no doubt as to the determination of the British government to enforce its colonial system in the most rigid manner. This severity on the part of Great Britain will warrant a counteraction on ours.

3. We have at present an unrestricted entry into all the ports of the island of Cuba; and although Spain may at a future day, fix certain limits to our imports and exports; yet there can be no doubt of our having a partial entry for any lumber and other bulky commodities, necessary to her colonists, as well as a free export of such as are not wanted for the commerce of the mother country. There is a mutual advantage in this exchange which will insure its continuance for many years.

We have also admission into the Dutch, French, Swedish, and Danish settlements in the West Indies; under such regulations, however, as the respective governments think proper to impose. These are of a nature to leave us many advantages and to employ a very large tonnage. We have also free admission into the Portuguese settlements in Brasil, where we might more reasonably expect a total seclusion. In a word, the other European nations, have so far yielded to the course which nature points out for the supply of their colonies with necessaries, that they have no restrictions whatever as to the mode in which they are carried. Great Britain, alone, says that we shall not be the carriers of the articles which we ourselves furnish, although they are indispensable, not only to the well being, but frequently to the very existence of her colonies in the West Indies.

We should have less reason to complain, if the rigor which is shown towards us, were dealt out in equal measure to other nations. But this is so far from being the case, that vessels under the flag of any European nation, having colonies in the West Indies, are admitted under certain limitations as to a size and the nature of their cargoes, the latter of which, however, may be composed of the very articles generally carried from the United States, as well of indigo, dye woods, specie, &c. &c. and what must appear very singular in the conduct of a nation affecting extraordinary morality in its public as well as private character, by far the greatest part of the commerce carried on under this admission of foreign vessels into her West India islands, is in direct contravention of the laws of the respective governments to which they belong.

4. Does it accord with the spirit of liberality, which we are to presume, dictated the late treaty, to impose most extraordinary duties on our productions, even when carried to her settlements in her

own vessels? She may say with apparent reasons, that she must encourage the consumption of the commodities, which are of her own growth, or of that of her North American colonies, and that ultimately the consumer must pay the duty. But, I trust, that before these observations are closed, it will appear, that this proceeding is grounded in jealousy, and a reliance (I hope a mistaken one) in our apathy.

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In considering the treaty without reference to the West Indies, it would at first appear, that the carrying trade is left open to both the parties, and that there is a fair and equal chance for its emoluments. But on a nearer view, and in connexion with the excepted ports, it will be seen that Great Britain has such decided advantages over us, that unless some vigorous measures are adopted on our part, the shipping interest of this country must necessarily sustain incalculable loss. Instead of a gradual increase that might rationally be looked for in a country where every other branch of trade is progressive, we must be prepared to see our tonnage reduced at the end of four years, to one half its actual quantity. Great Britain leads annually six hundred sail of ships in her West India settlements, which make but one voyage a year. They sail from the West Indies generally, between the months of May and August, and consequently arrive in England between June and October. Of these which arrive first, as many as are requisite, are freighted to bring dry goods, &c. to the United States, and if freights do not offer, they are loaded by the owners with salt, crates of earthen ware, coal, copperas, and a variety of bulky articles, of small value, the profits on which generally afford a moderate freight. When these cargoes are landed in the United States, and others consisting of provisions, lumber of all sorts, stock, and such other articles as are admitted into the British colonies, are taken in, they proceed to their West India settlements with all the prospects of advantage afforded by an exclusive trade, and they arrive in season to take another freight to England. Now, if the trade between the United States and the West Indies in British ships, were prohibited by our government, all the British ships employed in making the indirect voyages of which we have just spoken, would remain idle, until the months of November and December, at which time they generally sail from Europe to the West Indies; or they must perform the intermediate voyage by proceeding to the British settlements on this continent, to procure their lumber and provisions. But in this operation, the advantage of the outward freight is lost, for those settlements cannot consume the great quantity of coarse goods which are readily disposed of in the United States, and indeed a sufficiency is supplied by vessels regularly employed between these settlements and the mother country. Thus every article of lumber and provisions, carried from the North American colonies to the West Indies by vessels trading in this circuitous manner, must be subject to the charge of double freight. But there is still a greater

inconvenience, which cannot be surmounted. Quebec, is the only one of the colonies which can furnish bread stuff for the West Indies. Now it must be evident, that the West India ships arrive in Europe too late to proceed to Quebec, as they would certainly be caught by the ice. In this event therefore, of the seclusion of these ships from our ports, they would be unable to procure the profitable employment which they now enjoy by their circuitous voyages, already described.

Again, a considerable tonnage is employed in carrying timber from the Bay of Fundy to Europe. The vessels employed in this trade, like those employed in that of the West Indies, bring frieghts, or coarse goods to the United States, and then proceed to execute the main object of their voyage, after having secured one freight to the United States.

It must be seen on a moment's reflection, that these operations produce an injury to our carrying trade commensurate to the benefit which they yield to that of Great Britain. For it is evident, that in the instances here noticed, the voyages to the United States are merely incidental to others of greater importance; and yet the cargoes brought to this country are precisely those which, under proper restrictions, on our part, would be brought by our own vessels, and by the other British ships employed in a regular trade between the two countries. In fact, it is an evil growing out of the British colonial system, highly prejudicial to the maritime interests of this country. It is not even confined to the cases already noticed. British ships have brought freights or cargoes to the United States, where they have taken in lumber and provisions, with which they have proceeded to Jamaica, and after landing their cargoes and finding freights scarce, they have gone in a few days to New Orleans for a load of cotton or tobacco, for an European port; thus carrying three freights, two of which, at least, ought to have been carried by the ships of our own country. Now, the American tonnage, proceeding from the northern, and in fact, from all the Atlantic states, is compelled to proceed to New Orleans in ballast, because it cannot land cargoes of lumber and provisions in the West Indies, as the British do. The case is equally strong when applied to the shipping belonging to the British colonies in North America. Vessels come from New Brunswick, with cargoes of plaister, fish, &c. which yield a good freight, and afford returns in provisions and lumber, which are carried to the West Indies, and their value brought to us again in rum, &c. In these operations, the American shipping cannot participate, and the singularity of this case is aggravated by the consideration, that it is in the United States only that a market can be found for the plaister. There is something so unnatural in this restriction as to plaister, that we should have supposed, that even the jealous policy of Great Britain would have revolted at it, and surely great reliance must have been had on our forbearance, when the experiment was hazarded. But one solid advantage is derived from the minuteness with which the British colonial system is enforced. It developes the views and intentions of Great Britain in a manner too clear to be misunderstood,

and shows most forcibly, the necessity of an early and vigorous reaction on our part.

In the formation of the treaty, it is to be presumed that the parties, by relinquishing tonnage duties on the one side, and bounties on the other, intended to leave the commerce of the two countries open to fair and open competition, and if one of the parties thought proper to make exceptions as to the trade of particular ports or places, it would not have been expected that those exceptions should in any way operate to the positive disadvantage of the other party. Thus, if Great Britain had reserved to herself and to her colonies in North America, the privilege of directly supplying her West India settlements, with provisions and lumber, however irrational and unnatural the scheme may have been, we had no right to complain. But when she avails herself of the exception of her colonies from the operation of the treaty, in order to destroy or diminish the apparent equivalent which we have or should have received in return for our concessions, it would be extreme folly to suppose that our government would not take the necessary steps to remedy so serious an evil. The treaty would otherwise prove nothing more or less than an act of self immolation.

But there is another feature in the treaty, which, although it has excited but little observation, because its practical effects have not yet been felt, yet requires the immediate interference of the legislature. British ships may import into the United States on equal terms with our own ships the productions and manufactures of the whole globe; whereas we can carry to Great Britain, in our vessels, only *certain* articles of our own produce, and those too in an unmanufactured state. The staples of the eastern and middle states are virtually excluded from British ports by bounties granted in favor of her own and of her colonial productions. British ships may bring from the Baltic to the United States, the bulky articles of hemp, iron, cordage, and coarse linens; from Holland and Germany, a great variety of coarse goods, the wines and brandy, and even plaister of France, and also the wines and fruits of Spain and Portugal, as well as the salt of the latter countries, the last and only resource of a great number of our vessels returning from Europe, together with all the productions of the countries bordering on the Mediterranean, and, in a word, as before observed, of the whole universe. Thus it appears, that the operation of the treaty in its present form, and without interruption by restrictive measures on our part, will soon place us in nearly the same relation, in which her colonies stand to Great Britain, with the additional, and very convenient circumstance of our requiring no aid from her to support our establishment. We receive the produce and manufactures of Great Britain, of her colonies, and of the whole universe in her own bottoms; we furnish the most precious raw materials to her manufactures, and to her colonies lumber and provisions of a quality suited to the habits of her colonists, such as can be procured with convenience in this country only, and such as are always necessary to their convenience, and frequently to their



very existence. We receive from their colonies in North America all their productions, and more especially one that has no value except in our country, and yet, being of a very bulky nature, requires and employs for its transport a very extensive tonnage. Thus we furnish a very extensive nursery for British seamen, and an ample field for the employment of British capital, and what is the return for all these advantages, and for all this complaisance on our part? Why, it is the privilege of carrying in our own bottoms a part of our own productions to Great Britain on the same terms that similar goods are carried from our country in her ships. And this is the same nation, which but a short time ago threatened to drive our flag from the ocean; and from the ocean she will drive it without firing a gun, if we sleep at our posts.

We are to presume from the character of the individuals who acted as our commissioners in the formation of the treaty, that they were fully aware of the consequences that might flow from the exclusion of the British colonies from its operation, and they must have been sensible, that some moderate concessions would have been made by the British government in regard to their colonial trade, or that the severity of its regulations would be met by a corresponding counteraction on our part. It appears, therefore, singular, that no mention has been made relative to the subject, in any of the official communications of the government to Congress, nor in fact any notice taken of it until a motion was made by Mr. King, calling for some rigorous measures on our part to meet those already adopted by the British government. From the sentiments expressed by some of the House, it may be inferred, that it is considered as a very delicate subject. It is certain that it is much to be regretted, that the conduct of Great Britain should render it a subject of necessary legislation in our national councils. But it must be observed that the date of the British tariff of duties on our produce carried to the West Indies is subsequent to that of the treaty. We may therefore be considered at issue on the point of restriction, and we may as well commence our operations now, as at some future period, when the minds of our people may be more irritated by the operations of the present system. There may be some difference of opinion as to the manner in which we ought to proceed in regard to the West India trade, but but this I think will soon disappear, when we look narrowly into the nature of the West India settlements, and of the many local circumstances by which they are affected. Soon after the American revolution, Great Britain excluded the vessels of the United States from her West India ports. She had determined to try the experiment of supplying them from her colonies on this continent. She however, permitted her own vessels to carry supplies from the United States, and yet so inadequate were these supplies to meet the extraordinary demand occasioned by hurricanes, that according to the statements of Bryan Edwards, the historian, in the short period of six years, no less than fifteen thousand human beings perished in her West India colonies from hunger, and bad provisions. But there is

new no longer a deficiency of tonnage or capital for the ample supply of those colonies, provided our ports are open as they then were. There is, on the contrary, a redundancy both of shipping and capital, and nothing is wanted but a continuance of our complaisance, to insure the profitable employment of one and the other. The views of Great Britain have been developed by acts of an unequivocal character, and it now rests with us to show whether she has judged us correctly in calculating on our forbearance now, as she did on the former occasion. Then if we are not arrested by any considerations in regard to her, we have only to settle the question as it respects the interest of our own country. This subject may be brought before us in a very simple form—*Can Great Britain support her West India colonies in comfort, or even in safety, without supplies from the United States?* I answer with confidence, that she cannot—and that consequently, we are entitled to, and can obtain from her a reasonable participation in the carriage of the articles which we alone can furnish. If she monopolizes the carriage of her plaister, may we not as reasonably monopolize the carriage of our supplies which are as useful to them as her plaister is to us.

We have already shown in what manner she now supplies her islands from the United States, and how much that mode of supply operates to our prejudice, and from the single fact of her taking supplies from us in any form or manner, it might fairly be inferred that she is unable to furnish them from her own resources. For can any one, knowing the uniform course of her policy towards us, doubt for a moment as to the motives of her conduct on this occasion? Would she permit the importation of a barrel of meal, or one stave from this country, if she could furnish that barrel, or that stave, from her own possessions? But we shall endeavour to supply proofs of a more positive character. Let us then suppose all communication to be interdicted between the United States and the British West India islands, and that the latter are compelled to rely on their own resources, or those of the mother country and her colonies on this continent, for supplies of lumber and provisions.

It is well known that the West India islands are unable to support themselves, otherwise the question as to supplying them, would never have been agitated. The single circumstance of their being liable to be occasionally visited by hurricanes is, of itself sufficient evidence of their dependence on foreign aid. They must then depend on supplies from the mother country and her colonies in North America. Let us now see to what extent they may safely rely on the one and the other. England and Ireland can furnish salt provisions in abundance, and wheaten and rye flour. The latter are the only articles of dry provisions that can be furnished from Europe. Peas and beans have been tried frequently, but have been found a most unwholesome food for the slaves. Rye flour is also a bad food, as it proves uniformly sour before its arrival, and makes at best but a weak and unwholesome food, in the manner in which it must be used by the negroes, as they cannot submit it to the process of fermentation.

before it is used. The mode of preparing food adopted by the negroes is, and necessarily must be extremely simple, and must require but little time or fuel: a small earthen or iron pot composes the whole of a negro's culinary apparatus, and into this pot, every thing must go. During the late war, the experiment was fully made with rye flour, and it was universally condemned and abandoned as soon as Indian meal could be procured. Wheaten flour, although wholesome and nourishing, yet requiring more preparation than Indian meal or rice, is found less agreeable than the latter articles, even when perfectly sweet; but it will be seen, that of necessity it must generally be delivered to the negro in an unsound state, and of course must prove an unwholesome diet. Thus we see, that Great Britain can furnish but one article of dry provisions to her islands, and even that one, of a doubtful character as to its effects on the health of the negroes. Of her means for supplying lumber, I presume it is needless to say any thing, as she relies on foreign supplies for her own consumption. The islands must then depend on Nova Scotia and Canada for all their lumber, and for such dry provisions as the mother country cannot supply. Nova Scotia can export no dry provisions, she, on the contrary imports for her own consumption. Fish, she can supply in great variety and abundance. White pine lumber abounds in the Bay of Fundy, but good lumber of other kinds is very scarce there. The only and last resource, therefore, is Canada. Here flour and lumber of some kinds may be procured; but there are so many untoward circumstances attending the mode of supply from Canada, that the object can only be attained in a very imperfect manner. Thus we see, that the West Indies can be supplied with flour, fish, and a certain portion of lumber from Canada and Nova Scotia: and we will, for argument's sake, suppose that these supplies may be fully equal to the demands of the islands. We will further suppose that the planters, as well as the slaves, are compelled to eat Canadian flour, and to use none but Canadian and Nova Scotia lumber, and fish: we will even go further, and suppose that a regular intercourse is established, and that the demands of the colonies in the West Indies are ascertained, and the shipments duly proportioned to those demands. Are there then no contingencies which may occasionally diminish, if not wholly defeat the object of this arrangement? It is well known, that vessels of burden can make but one voyage annually, to Quebec, and that, consequently, the whole supply of dry provisions consisting only of bread and flour for one year's consumption, must be deposited in the warm climate of the West Indies, between the months of June and September, and that during the remaining eight months of the year, the consumer must eat the flour of the preceding year's growth, under all its progressive, and I may add, rapid stages of deterioration, until the supplies of the ensuing year arrive. But this is not the only inconvenience attending this mode of supply; a much larger capital must be employed in the business, because the merchant in the West Indies, who supplies the estates must make his investments for the remainder of the year, during the

four months in which the supplies are brought to market, and he will demand a price proportioned to the inconvenience sustained by his heavy advances, and to the danger of totally losing whatever stock he may have on hand when new provisions arrive. Thus the provisions which, under the most favorable circumstances would be dear, become much more so; but we will even suppose, that this inconvenience is obviated by a submission on the part of the planter, we will then have placed the matter in the most favorable point of view that our opponents could require.

It is well known that the Island of Jamaica has more internal resources than any of the other British islands in the West Indies. She raises such large quantities of ground provisions, and has such extensive plantation walks, as they are called, that she does not import one-tenth part of the provisions consumed by her black population. The clearances from our custom houses will show, that she receives from us proportionably less negro, and more fine provisions, than any other of the British islands. I make this assertion on the additional authority of the best informed merchants of this city; but the weight of my observations on this particular point, are but little affected by a supposition of the quantity of negro provisions being greater or less than that here stated.

According to the official returns of the number of negroes in that island, in the year 1787, the latest official record that I can find, there were

250,000 negroes.

40,000 white and colored persons in the island.

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290,000 being the whole population.

We have already supposed that the whole of the white population shall receive its dry provisions from abroad, but that the negroes and colored people receive only one tenth of their provisions in the same manner. Let us then suppose, that under this order of things, the island should be visited by one of those dreadful hurricanes by which it is so frequently ravaged, and which destroy all the fruits of the earth that are exposed to the violence of their action. The consequences of this awful visitation, cannot be contemplated without horror, and without deprecating the blind and inveterate policy that could subject such an extensive population to all the miseries of famine and consequent insurrections, and massacres that would ensue. If it is imagined that I speak in terms of exaggeration, let me refer to the authentic history of Bryan Edwards. But enough can be proved without any such reference, for it must be remembered, that these scourges would only occur at those precise periods when the islands can receive no immediate supplies from Canada, and that they are too remote from England to receive aid from that quarter. Hurricanes prevail almost exclusively in the months of September and October, during which latter month, the navigation of the St. Laurence generally closes.



I have selected the island of Jamaica for the particular object of my observations, because it is equal in value to all the other islands, and because it has proportionably greater resources. The same observations will apply with still greater force to the other insular possessions of Great Britain in the West Indies.

When we take into consideration the amount of British capital vested in the West Indies, estimated many years ago by Bryan Edwards, at the enormous sum of 70,000,000 sterling; of the value and extent of the British shipping employed in the West India trade, which, in 1787, was no less than 1069 vessels, or 155,009 tons; and also the amount of the mercantile capital actively and usefully employed in this trade, can we for one moment, suppose that Great Britain will put in jeopardy the whole, or any considerable part of these important possessions, merely to preserve to herself, the comparatively small consideration of monopolizing the carriage of our lumber and provisions, in which we have a rational claim to participate? Such a supposition but ill accords with the wary and calculating spirit that governs her commercial policy.

But let us admit, that, deaf to all the suggestions of reason and common prudence, she should persist in this course of interdiction, are there no other considerations opposed to its operation? Will she lay aside all regard to the comfort, to the established habits and to the interests of her colonists which are identified with her own? The charges incident to the cultivation of the favored island of Jamaica, are already so high, that on an average the estates of that island scarcely pay the legal interest of the capitals vested in them; and it is well known, that her possessions in the Antilles have, for many years been considered rather as splendid, than useful appendages to the crown. Many of the sugar estates have lately been converted into pasture, from the inability of the proprietors to support the heavy charges incident to the manufacture of sugar and rum, and from the decrease of population. Our embargo, and the late war, have contributed considerably to produce this effect. The preceding observations are made under a presumption that Great Britain is at peace with all the world. But if we represent her as engaged in a war with any of the maritime nations of Europe, her West India colonies must be absolutely dependent on the United States for their supplies. For even if Great Britain and her North American colonies could furnish the materials, the charges of carriage and insurance would render them insupportably dear. Whilst writing these notes, I received from a friend, the return of the naval officer of Jamaica, of the imports and exports of that island for one year, viz: from the 30th September, 1803, to September 30th 1804, of some of the items of this document, I may speak hereafter. At present I shall only observe, that it was made at a time when Great Britain was at war with France, and when she found it necessary, *as she always must do on similar occasions*, to suspend the operations of her colonial system. From the part which we then performed in furnishing and carrying supplies

to her islands, it may easily be imagined what must be the situation of these islands, when the mother country is at war with us. The writer can state, on the authority of several respectable residents in the island of St. Croix, that, from the commencement of our embargo in ——— to the conclusion of the late war, no less than 7,000 slaves perished from hunger and bad provisions; the island during that time, was in possession of the British. Its proximity to Porto Rico, gave it many advantages over the other British islands.

It may, however, be justly observed, that the object is well worth the attention and even solicitude of Great Britain. By the return, of which I have just spoken, and which will be found annexed to these notes, it appears that the amount of the tonnage which entered Jamaica from America in one year, was 69,525 tons, and we can form some estimate of the proportion of that tonnage which belonged to the United States, by the proportion of goods stated to have been carried by American vessels. I should be disposed to consider the proportion at least as eight tons of American to one of British shipping. But if the tonnage employed in carrying to Jamaica 69,525 tons be doubled, it will give a tolerably accurate view of the whole tonnage sent from America, to the West Indies, in one year, viz. 139,050 tons. This tonnage divided, gives 1390 vessels of 100 tons, performing one voyage in a year, or 695 of the same burden, performing two voyages in a year; or 347 of 200 tons performing two voyages in a year—Now can it be reasonably expected, that as a maritime nation, we will permit Great Britain, to load by far the largest part of this tonnage in our ports, with articles which she cannot supply; and which are absolutely necessary to her colonies, without some equivalent? Are we to count for nothing the market which we afford for the consumption of her West India produce, and without which one most important item, viz. rum, must lose one half its value?

The writer closes his observations on this very important subject with a personal one relative to himself. He has lived many years in the West Indies, and has been intimately connected with their commerce for the last thirty-five years.

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*St. Jago de la Vega, (Jam ) December 1.*

By a return of the naval officer, laid before the House of Assembly, on Tuesday the 13th November, the following is a summary of the exports and imports of this island from the 30th September, 1803, to 30th September, 1804:

*Imports from the United States of America in American vessels.*

64,362	barrels of corn meal and flour	
16,119	bags	
6,223	barrels	} of bread
3,895	kegs	
3,063	tierces of rice	
2,275	hhds.	
15,743	barrels	} of fish
444	kegs	
2,743	boxes	} ditto
267	quintals	
11,741	barrels of beef	
17,038	barrels of pork	
5,247	firkins of butter	
65,435	bushels of corn	
6,768,271	feet of lumber	
7,997,957	staves and heading	
12,733,207	shingles	

*In British vessels.*

12,937	barrels of corn meal and flour	
648	barrels	} of bread
513	kegs	
561	tierces of rice	
261	hhds.	
845	barrels	} of fish
100	kegs	
565	boxes	
667	barrels of beef	
1,596	barrels of pork	
49	firkins of butter	
162	casks	
3,892	bushels of corn	
400,845	feet of lumber	
411,902	staves and heading	
242,000	shingles	
93	casks of tobacco	
1467	barrels of naval stores	

*From British America.*

816	barrels of flour	
100	bags	
88	barrels	} of bread
109	kegs	
10	quintals	

1,904 hhds.  
 13,798 barrels } of fish  
 324 kegs  
 368 boxes  
 362 barrels of bread  
 191 barrels of pork  
 80 firkins of butter  
 4,300 bushels of corn  
 719,971 feet of lumber  
 302,750 staves and heading  
 139,750 shingles  
 153 logs  
 60,000 feet of mahogany  
 154 casks of oil  
 92 hhds. of beer

*Exports. Total from Kingston.*

41,562 hhds.  
 3,940 tierces } of sugar  
 144 barrels  
 12,003 puncheons } of rum  
 541 hhds.  
 64 casks of molasses  
 873 bags } of ginger  
 1,024 casks  
 5,645 bags } of pimento  
 632 casks  
 16,313,386 pounds of coffee

*Total from the out ports.*

61,970 hhds.  
 8,862 tierces } of sugar  
 717 barrels  
 30,204 puncheons } of rum  
 372 hhds.  
 365 casks of molasses  
 981 bags } of ginger  
 70 casks  
 13,927 bags } of pimento  
 785 casks  
 5,750,594 lbs. of coffee

**GRAND TOTAL.**

103,352 hhds.  
 12,802 tierces } of sugar  
 2,207 barrels



42,207 puncheons } of rum  
 913 hhds. }  
 429 casks of molasses  
 1,854 bags } of ginger  
 1,094 casks }  
 19,572 bags } of pimento  
 1,417 casks }  
 22,063,980 lbs. of coffee

*Increase since last year,*

*In coffee only, 4,240,977 lbs.*

*Decrease,*

About 6,000 hhds. of sugar  
 16,148 puncheons } of rum  
 560 hhds. }  
 93 casks of molasses  
 2,644 bags of ginger  
 1,537 bags } of pimento  
 68 casks }

*The tonnage of vessels trading to this island between 30th September, 1803, and 30th September, 1804, was,*

From Great Britain and Ireland	-	93,433 tons
America	-	69,525
The Spanish Main	-	4,101
Traders under free port act	-	14,826
Droggers	-	3,382

*During the above period,*

1,813 horses  
 2,182 mules  
 218 asses  
 2,107 horned cattle have been imported, and from Great Britain and Ireland  
 54,507 barrels of herrings

## ARTICLE I.

His Britannic majesty consents to extend to the United States the provisions of the free port act, as established by the 45 Geo. III. chap. 57, (except as far as relates to negro slaves, which, under the abolition acts can no longer be lawfully exported from any British possession to any foreign country,) that is to say; that any sloop, schooner, or other vessel whatever, not having more than one deck, and being owned and navigated by subjects of the United States, may import into any of the free ports in his majesty's possessions in the West Indies, from the United States, any of the articles enumerated in the above act, being of the growth, or production, of the United States, and any coin, bullion, diamonds and precious stones; and the said articles being of the growth, or production of the United States, and also all other articles imported into the said free ports, by virtue of this convention, from the United States, shall be subject in all respects to the same rules, regulations, and restrictions, and shall enjoy the same advantages as to re-exportation, as are now applied to similar articles, when imported by authority of said act, from any other foreign country, and re-exported from the said possessions of his majesty. His Britannic majesty further consents, that any vessel of the United States as above described, may export from any of the said ports to the United States, rum of the produce of any British colony or possession; and also all manner of goods, wares, or merchandise, which shall have been legally imported into those possessions of his majesty, in which the said free ports are established, except masts, yards, or bowsprits, pitch, tar, and turpentine; and also, except such iron as shall have been brought from the British colonies, or plantations, in America.

And whereas, by an act passed in the 48th year of his majesty's reign, chap: 125; rice, grain, and flour are added to the articles previously allowed, to be imported into the said free ports. it is agreed, that those articles may be imported from the United States into the said free ports, in vessels of the United States as above described, and it is agreed, on the part of the United States, that any facilities granted in consequence of this convention, to American vessels, in his majesty's said colonies and possessions, shall be reciprocally granted in the ports of the United States, to British vessels of a similar description, engaged in the intercourse so allowed to be carried on, and that, if at any future period, during the continuance of this convention, his Britannic majesty should think fit to grant any further facilities to vessels of the United States, in the said colonies, and possessions, British vessels trading between the said colonies and possessions and the United States, shall enjoy in the ports of the latter equal and reciprocal advantages. It is further agreed, that articles imported into the said free ports of the United States, by virtue of this convention, shall pay the same duties as are, or may be payable, upon similar articles, when imported into the said free ports, from any other foreign country; and the same rule shall be observed on the

part of the United States, in regard to all duties chargeable upon all such articles as may, by virtue of this convention, be exported from the said free ports to the United States.

But his Britannic majesty reserves to himself the right to impose higher duties upon all articles so allowed to be imported into the said free ports, from the United States, or from any other foreign country, than are, or may be chargeable, upon all similar articles, when imported from any of his majesty's possessions.

## ARTICLE II.

His Britannic majesty engages to allow the vessels of the United States to import into the island of Bermuda, the following articles, viz. tobacco, pitch, tar, turpentine, hemp, flax, masts, yards, bowsprits, staves, heading, boards and plank, timber, shingles and lumber of any sort, bread, biscuit, flour, peas, beans, potatoes, wheat, rice, oats, barley and grain of any sort; such commodities being the growth or production of the territories belonging to the United States of America: And to export from the said island to the United States, in vessels of the said states any goods or commodities whatever, which are now by law allowed to be exported from his majesty's colonies and possessions in the West Indies, to any foreign country, or place, in Europe; and also sugar, molasses, coffee, cocoa, nuts, ginger and pimento; and also all goods, the growth, produce, or manufacture, of the united kingdom of Great Britain and Ireland, upon the same terms, and subject to the same duties only. as would affect similar articles, when imported from the United States into Bermuda, or exported from Bermuda to the United States in British ships. And it is agreed, on the part of the United States, that a similar equality shall prevail in the ports of the said states with regard to all British vessels trading in similar articles, between the United States and the island of Bermuda.

## ARTICLE III.

It is agreed, that vessels of the United States may resort to Turk's Island, for the purpose of taking in cargoes of salt, for the United States; and that the vessels so resorting to the said islands, shall be allowed to import tobacco, cotton and wool, the produce of the said United States, upon the same terms, and subject to the same duties as British ships, when engaged in a similar intercourse. It is agreed on the part of the United States, that a similar equality shall prevail in the ports of the said states with regard to all British vessels trading in the same articles between the United States and the said Turk's Islands.

## ARTICLE IV.

It is agreed, that the navigation of all lakes, rivers, and water communications, the middle of which is, or may be the boundary

between his Britannic majesty's territories on the continent of North America, and the United States, shall, with the exception hereinafter mentioned, at all times be free to his majesty's vessels, and those of the citizens of the United States. The inhabitants of his Britannic majesty's territories in North America, and the citizens and subjects of the United States, may freely carry on trade and commerce by land, or inland navigation, as aforesaid, in goods and merchandise, the growth, produce, or manufacture, of the British territories in Europe, or elsewhere, or of the United States, respectively, within the territories of the two parties respectively, on the said continent, (the countries within the limits of the Hudson's Bay Company only excepted) and no other or higher duties or tolls, or rates of carriage, or portage, than which are, or shall be, payable by natives respectively, shall be taken or demanded on either side. All goods, or merchandise, whose importation into the United States shall not be wholly prohibited, may freely, for the purposes of commerce abovementioned, be carried into the said United States, in the manner aforesaid, by his Britannic majesty's subjects; and such goods, or merchandise, shall be subject to no other, or higher duties, than would be payable by citizens of the United States, on the importation of the same in American vessels into the Atlantic ports of the United States; and in like manner, all goods and merchandise, the growth, produce, or manufacture of the United States, whose importation into his majesty's said territories in America, shall not be entirely prohibited, may freely, for the purposes of the commerce abovementioned, be carried into the same, by land, or by means of such lakes, rivers and water communications as abovementioned, by the citizens of the United States; and such goods and merchandise shall be subject to no other, or higher duties, than would be payable by his majesty's subjects on the importation of the same from Europe into the said territories.

No duties shall be levied by either party on peltries, or furs, which may be brought in the manner aforesaid by land, or inland navigation, from the said territories of one party into the said territories of another; but tolls, or rates of ferriage, may be demanded and taken in manner abovementioned, on such peltries or furs. It is further agreed, that nothing in this article contained, as to the navigation of rivers, lakes, or water communication, shall extend to give a right of navigation, upon, or within the same, in those parts where the middle is not the boundary, between his Britannic majesty's territories and the United States of America.



